

2007 DRAFTING REQUEST

Senate Amendment (SA-SSA1-SB40)

Received: **06/15/2007**

Received By: **rkite**

Wanted: **As time permits**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Rushmer**

This file may be shown to any legislator: **NO**

Drafter: **rkite**

May Contact:

Addl. Drafters: **bbalinsk**

Subject: **Nat. Res. - boats snomos ATVs**

Extra Copies:

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

LFB:.....Rushmer -

Topic:

Lightweight utility vehicle pilot program

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/P1	rkite 06/19/2007 bbalinsk 06/20/2007			_____			
/1	rkite 06/20/2007	wjackson 06/20/2007	rschluet 06/20/2007	_____	cduerst 06/20/2007		
/2	rkite	kfollett	nmatzke	_____	sbasford		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
	06/22/2007	06/22/2007	06/22/2007	_____	06/22/2007		
/3	rkite	wjackson	pgreensl	_____	mbarman		
	06/22/2007	06/22/2007	06/24/2007	_____	06/25/2007		

FE Sent For:

<END>

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/P1	rkite 06/19/2007 bbalinsk 06/20/2007		<i>[Signature]</i>	<i>[Signature]</i>			
/1	rkite 06/20/2007	wjackson 06/20/2007	rschluet 06/20/2007		cduerst 06/20/2007		
/2	rkite	kfollett	nnatzke		sbasford		

13WJ 6/22

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	06/22/2007	06/22/2007	06/22/2007	_____	06/22/2007		

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/P1	rkite						
	06/19/2007						
	bbalinsk						
	06/20/2007						
/1	rkite	wjackson	rschluet		cduerst		
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<END>

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May Contact:

Addl. Drafters: bbalinsk

Subject: Nat. Res. - boats snomos ATVs

Extra Copies: MGG

Submit via email: YES

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

LFB:.....Rushmer -

Topic:

Lightweight utility vehicle pilot program

Instructions:

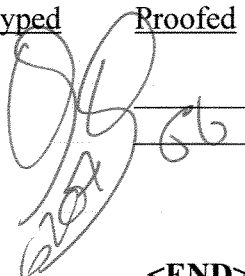
See attached

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1 wj 6/20



FE Sent For:

<END>

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/?	rkite		lc conv nyn 6/15	_____			

FE Sent For:

<END>

**SENATE AMENDMENT ,
TO SENATE SUBSTITUTE AMENDMENT ,
2007 SENATE BILL 40**

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page ?, line ?: after that line insert:

3 “SECTION ?? 23.33 (11m) of the statutes is created to read:

4 **23.33 (11m) LIGHTWEIGHT UTILITY VEHICLES; PILOT PROGRAM.** (a) In this subsection:

5 1. “Golf cart” means a vehicle whose speed attainable in one mile does not exceed 20
6 miles per hour on a paved, level surface, and is designed and intended to convey one or more
7 persons and equipment to play the game of golf in an area designated as a golf course.

8 2. “Lightweight utility vehicle” means an engine-driven device having a gross weight
9 of more than 700 pounds but not more than 1,999 pounds that is designed to travel on 4 or more
10 low-pressure tires, is equipped with a cargo area, and is used primarily off a highway. For the
11 purposes of this subsection, a “low pressure tire” is a tire that is designed to be mounted on
12 a rim with a maximum diameter of 13 inches and to be inflated with an operating pressure not
13 to exceed 8 pounds per square inch as recommended by the manufacturer. The definition of
14 “lightweight utility vehicle” does not include golf carts or low-speed vehicles.

15 3. “Low-speed vehicle” means a low-speed vehicle, as defined in 49 CFR 571.3, that
16 satisfies the equipment standards under 49 CFR 571.500 and that was originally manufactured
17 to meet the applicable equipment standards under 49 CFR 571.500. “Low-speed vehicle”
18 does not include a golf cart.

1 (b) The department shall supervise a pilot program for investigating the effects of using
2 lightweight utility vehicles on trails and roadways that are currently used and authorized to
3 be used by all-terrain vehicles, in order to evaluate whether it is feasible and appropriate to
4 expand the allowable use of lightweight utility vehicles.

5 (c) The counties of Florence, Forest, Sawyer, Marinette and Washburn, and the towns
6 within those counties, are eligible to participate in the pilot program and the governing body
7 of each county or town may elect to participate in the pilot program by adopting a resolution
8 to that effect. The governing body of each county or town may withdraw from the pilot
9 program prior to the end of the pilot program under par. (h) by adopting a resolution to that
10 effect.

11 (d) The counties and towns in the pilot program may designate any of the following:

12 1. All-terrain vehicle routes and trails within their respective jurisdictions that may be
13 used by operators of lightweight utility vehicles.

14 2. All-terrain vehicle routes and trails within their respective jurisdictions upon which
15 lightweight utility vehicle use is prohibited.

16 (e) The operation of a lightweight utility vehicle as permitted under par. (d) is subject
17 to the following, in the same manner as for an all-terrain vehicle:

18 1. Sections 345.11 (1r), 346.02 (11), 349.02, 885.235 (1g) and (1k), 895.049, and
19 901.053.

20 2. Subsections (3), (3g), (4), (4c) to (4x), (6), (7), (10), (12), and (13).

21 3. Local ordinances enacted by a county or town under sub. (11).

22 (f) In addition to the provisions under par. (e), the operation of a lightweight utility
23 vehicle as authorized under the pilot program is subject to the following:

1. The operator of a lightweight utility vehicle must possess a valid motor vehicle operator's license.

2. Any trail fees imposed on all-terrain vehicle use by a county or town also apply to operation of a lightweight utility vehicle.

(g) The department shall, in consultation with the counties and towns, evaluate the effect of using lightweight utility vehicles on roadways and on all-terrain vehicle routes and trails upon conclusion of the pilot program. The department may make grants from the appropriation under s. 20.370 (5) (er), not to exceed \$2,000 in each county, for the purpose of assisting the department in the evaluation. The department shall report the results of its evaluation to the legislature under s. 13.172 (2) no later than the first day of the fourth month after the conclusion of the pilot program.

(h) The pilot program under this subsection does not apply after September 31, 2009.”.

(END)

20,370 (~~5~~cu)

Kite, Robin

From: Gary, Aaron
Sent: Friday, June 15, 2007 2:03 PM
To: Dicks, Helen
Cc: Rushmer, Erin; Dyck, Jon; Kite, Robin; Balinsky, Brett
Subject: FW: Lightweight utility vehicles

Hi Helen,

I was told by LFB that you are the contact person in Sen. Robson's office for this

Please see the e-mail below that I sent to LFB for background.

Do you want DOT to administer the pilot program for "on-roadway" operation? How do you want us to address the vehicle registration, titling, and emission inspection issues? Please call when you have a chance to discuss.

Thanks. Aaron

Aaron R. Gary
Legislative Attorney
Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: Gary, Aaron
Sent: Friday, June 15, 2007 1:30 PM
To: Rushmer, Erin
Cc: Dyck, Jon; Balinsky, Brett
Subject: Lightweight utility vehicles

Hi Erin,

I understand that there is a budget amendment request from the senate dems relating to lightweight utility vehicles. You're probably aware that Sen. Jauch has an introduced bill on the subject, SB-158.

To the extent the senate dems want this draft to allow operation of lightweight utility vehicles on the roadway, the drafting of this is not so simple. For one, DOT is responsible for vehicles operated on the roadways, so at a minimum DOT and not DNR should administer the pilot program. Also, DOT will be very unhappy about this. The request seeks the recognition of a new vehicle group, but there is nothing in the request related to vehicle registration, vehicle titling, emission inspections, or other relevant issues. At the end of 2005, the legislature pushed through a "simple" bill on neighborhood electric vehicles and DOT has been fighting to correct all the problems created by that bill ever since. The bill's sponsors last session have had to go back this session and try to address some of these fundamental concerns. See 2007 AB-339 and SB-186. This request raises most of the same issues.

Aaron R. Gary
Legislative Attorney
Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)

06/19/2007

Kite, Robin

From: Rushmer, Erin
Sent: Monday, June 18, 2007 10:38 AM
To: Gary, Aaron
Cc: Kite, Robin; Gibson-Glass, Mary
Subject: lightweight utility vehicles

Aaron- I double checked and it is fine to split the responsibility for administering the pilot program up between DNR and DOT. Thanks.
-Erin

Erin Rushmer
*Legislative Fiscal Analyst
Wisconsin Legislative Fiscal Bureau
ph. (608) 266-3847
fax (608)267-6873
Erin.Rushmer@legis.state.wi.us*



State of Wisconsin
2007 - 2008 LEGISLATURE

LRBb0332/P1

RNK: nwn

4 BAB

LFB:.....Rushmer - Lightweight utility vehicle pilot program

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

**SENATE AMENDMENT ,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO 2007 SENATE BILL 40**

- 1 At the locations indicated, amend the substitute amendment as follows:
- 2 ✓ 1. Page 7, line 2: after that line insert:
- 3 "SECTION 23.33 (11m) of the statutes is created to read:
- 4 23.33 (11m) LIGHTWEIGHT UTILITY VEHICLES; PILOT PROGRAM. (a) In this
- 5 subsection:
- 6 1. "Golf cart" means a vehicle whose speed attainable in one mile does not
- 7 exceed 20 miles per hour on a paved, level surface, and is designed and intended to
- 8 convey one or more persons and equipment to play the game of golf in an area
- 9 designated as a golf course.

2. "Lightweight utility vehicle" means an engine-driven device having a gross weight of more than 700 pounds but not more than 1,999 pounds that is designed to travel on 4 or more low-pressure tires, is equipped with a cargo area, and is used primarily off a highway. For the purposes of this subsection, a "low-pressure tire" is a tire that is designed to be mounted on a rim with a maximum diameter of 13 inches and to be inflated with an operating pressure not to exceed 8 pounds per square inch as recommended by the manufacturer. The definition of "lightweight utility vehicle" does not include golf carts or low-speed vehicles.

3. "Low-speed vehicle" means a low-speed vehicle, as defined in 49 CFR 571.3, that satisfies the equipment standards under 49 CFR 571.500 and that was originally manufactured to meet the applicable equipment standards under 49 CFR 571.500. "Low-speed vehicle" does not include a golf cart.

(b) The department shall ^{of natural resources} ~~supervise~~ ^{in consultation with the department of transportation} ~~administer~~ a pilot program for investigating the effects of using lightweight utility vehicles on trails and roadways that are ~~currently~~ used and authorized to be used by all-terrain vehicles, ^{may} ~~in order~~ to evaluate whether it is feasible and appropriate to expand the allowable use of lightweight utility vehicles.

(c) The counties of Florence, Forest, Sawyer, Marinette, and Washburn, and the ^{municipalities} ~~towns~~ within those counties, are eligible to participate in the pilot program and the governing body of each county or ^{municipality} ~~town~~ may elect to participate in the pilot program by adopting a resolution to that effect. The governing body of each county or ^{municipality} ~~town~~ may withdraw from the pilot program prior to the end of the pilot program under par.

(h) by adopting a resolution to that effect.

(d) The counties and ^{municipalities} ~~towns~~ in the pilot program may designate any of the following:

50 ^{municipality} ~~town~~ means a city, village, or town.

1 1. All-terrain vehicle routes and trails within their respective jurisdictions
2 that may be used by operators of lightweight utility vehicles.

3 2. All-terrain vehicle routes and trails within their respective jurisdictions
4 upon which lightweight utility vehicle use is prohibited.

5 ~~(e) The operation of a lightweight utility vehicle as permitted under par. (d) is~~
6 ~~subject to the following, in the same manner as for an all-terrain vehicle:~~

7 1. Sections 345.11 (1r), 346.02 (11), 349.02, 885.235 (1g) and (1k), 895.049, and
8 901.053.

9 2. Subsections (3), (3g), (4), (4c) to (4x), (6), (7), (10), (12), and (13).

10 3. Local ordinances enacted by a county or ~~town~~ ^{municipality} under sub. (11).

11 (f) In addition to the provisions under par. (e), the operation of a lightweight
12 utility vehicle as authorized under the pilot program is subject to ^{all of} the following:

13 1. The operator of a lightweight utility vehicle must possess a valid motor
14 vehicle operator's license.

15 2. Any trail fees imposed on all-terrain vehicle use by a county or ~~town~~ ^{municipality} also
16 apply to operation of a lightweight utility vehicle.

17 (g) The department ^{of natural resources} ~~shall~~ ^{shall} in consultation with the counties and ~~towns~~ ^{municipalities}, evaluate
18 the effect of using lightweight utility vehicles on roadways and on all-terrain vehicle

19 routes and trails upon conclusion of the pilot program. The department may make

20 grants from the appropriation under s. 20.370 (5) ^(cw) ~~(er)~~, not to exceed \$2,000 in each

21 ^{participating and municipality} county, for the purpose of assisting the department ^{of natural resources} in the evaluation. The

22 department ^{of natural resources} shall report the results of its evaluation to the legislature under s. 13.172

23 (2) no later than the first day of the fourth month after the conclusion of the pilot

24 program. ^{January 1, 2010}

municipalities
participating in the
pilot program

1 (h) The pilot program under this subsection does not apply after September 31,
2 2009.”.

3 (END)

**2007-2008 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBb0332/P1ins
RNK:....~~lwn~~

INSERT 1-1

³¹⁷ ⁴
* Page ~~316~~, line ~~9~~: after that line insert:

^{⓪ f}
“SECTION 282c. 20.370 (5) (cu) of the statutes is amended to read:

20.370 (5) (cu) *Recreation aids — all-terrain vehicle project aids.* As a continuing appropriation, the amounts in the schedule from moneys received from all-terrain vehicle fees under s. 23.33 (2) (c) to (e) and (2j) to provide aid to towns, villages, cities, counties, and federal agencies for nonstate all-terrain vehicle projects and to provide grants under s. 23.33 (11m) (g) to towns and counties ^{and municipalities} participating in the lightweight utility vehicle pilot program.” STET

History: 1971 c. 40, 95; 1971 c. 125 ss. 101 to 121, 522 (1); 1971 c. 211, 215, 277, 330, 336; 1973 c. 12 s. 37; 1973 c. 90, 100; 1973 c. 243 s. 82; 1973 c. 296, 298, 301, 318, 333, 336; 1975 c. 8, 39, 51, 91, 198; 1975 c. 224 ss. 7d, 7f, 7m, 17 to 19p; 1977 c. 29 ss. 181 to 234, 1657 (34); 1977 c. 274, 370, 374, 376, 377; 1977 c. 418 ss. 95 to 110, 929 (37); 1977 c. 421, 432; 1977 c. 447 ss. 42 to 44, 210; 1979 c. 34 ss. 199 to 322, 2102 (39) (a); 1979 c. 221; 1979 c. 361 s. 113; 1981 c. 1, 20, 86, 95, 131, 294, 330; 1981 c. 374 ss. 6, 7, 148, 150; 1983 a. 27 ss. 216m to 269, 2202 (23); 1983 a. 75, 181, 243, 397; 1983 a. 410 ss. 5m to 11, 2202 (38); 1983 a. 413; 1983 a. 416 ss. 1, 19; 1983 a. 426; 1985 a. 16, 22; 1985 a. 29 ss. 282d to 356, 3202 (26) (a), (39) (a), (c), (dm), (i); 1985 a. 46, 60, 65, 120, 202, 296; 1987 a. 27, 98, 110, 290, 295, 298, 305; 1987 a. 312 s. 17; 1987 a. 384, 397, 399, 403, 418; 1989 a. 31, 128, 284, 288, 326; 1989 a. 335 ss. 22nn to 30g, 89; 1989 a. 336, 350, 359, 366; 1991 a. 32; 1991 a. 39 ss. 326b to 394, 594c; 1991 a. 254, 269, 300, 309, 315; 1993 a. 16, 75, 166, 213, 343, 349, 415, 421, 453, 464; 1993 a. 490 ss. 18, 271; 1995 a. 27, 201, 225, 227, 296, 378, 459; 1997 a. 27, 35; 1997 a. 237 ss. 33 to 38d, 727g; 1997 a. 248; 1999 a. 9, 32, 74, 92; 1999 a. 150 s. 672; 1999 a. 185; 2001 a. 16, 56, 92, 108, 109; 2003 a. 33, 228, 251, 310, 314, 321, 327; 2005 a. 25, 286, 288, 347, 394.

INSERT 3-6

(e) For the purposes of all of the following, a lightweight utility vehicle that is operated as authorized under this subsection is considered an all-terrain vehicle:

Kite, Robin

From: Rushmer, Erin
Sent: Thursday, June 21, 2007 5:16 PM
To: Kite, Robin; Gibson-Glass, Mary
Subject: lightweight utility and atv incentive

Hi Robin and Mary-

Robin- a couple of changes on draft 0332 lightweight utility vehicles are necessary. I mentioned one of them to Mary earlier, but anyway, on page 2 line 13 the definition of low-pressure tire needs to be changed to "on a rim with a maximum diameter of **14** inches and to be inflated with an operating pressure not to exceed **20** pounds per square inch as recommended by the manufacturer."

On page 4, the maximum amount of grants should not exceed \$2,000 total per county (municipalities and counties can both receive grants but the total for a given county can't be more than \$2000).



State of Wisconsin
2007 - 2008 LEGISLATURE

LRBb0332/1
RNK&BAB:wlj:rs

RM run
2
+
GF

LFB:.....Rushmer - Lightweight utility vehicle pilot program

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

**SENATE AMENDMENT ,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO 2007 SENATE BILL 40**

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 317, line 4: after that line insert:

3 **"SECTION 282fc.** 20.370 (5) (cu) of the statutes is amended to read:

4 20.370 (5) (cu) *Recreation aids — all-terrain vehicle project aids.* As a
5 continuing appropriation, the amounts in the schedule from moneys received from
6 all-terrain vehicle fees under s. 23.33 (2) (c) to (e) and (2j) to provide aid to towns,
7 villages, cities, counties, and federal agencies for nonstate all-terrain vehicle
8 projects and to provide grants under s. 23.33 (11m) (g) to counties and municipalities
9 participating in the lightweight utility vehicle pilot program."

10 **2.** Page 434, line 5: after that line insert:

1 **"SECTION 666m.** 23.33 (11m) of the statutes is created to read:

2 **23.33 (11m)** LIGHTWEIGHT UTILITY VEHICLES; PILOT PROGRAM. (a) In this
3 subsection:

4 1. "Golf cart" means a vehicle whose speed attainable in one mile does not
5 exceed 20 miles per hour on a paved, level surface, and is designed and intended to
6 convey one or more persons and equipment to play the game of golf in an area
7 designated as a golf course.

8 2. "Lightweight utility vehicle" means an engine-driven device having a gross
9 weight of more than 700 pounds but not more than 1,999 pounds that is designed to
10 travel on 4 or more low-pressure tires, is equipped with a cargo area, and is used
11 primarily off a highway. "Lightweight utility vehicle" does not include golf carts or
12 low-speed vehicles.

13 3. "Low pressure tire" means a tire that is designed to be mounted on a rim with
14 a maximum diameter of ~~13~~¹⁴ inches and to be inflated with an operating pressure not
15 to exceed ~~8~~²⁰ pounds per square inch as recommended by the manufacturer.

16 4. "Low-speed vehicle" means a low-speed vehicle, as defined in 49 CFR 571.3,
17 that satisfies the equipment standards under 49 CFR 571.500 and that was
18 originally manufactured to meet the applicable equipment standards under 49 CFR
19 571.500. "Low-speed vehicle" does not include a golf cart.

20 5. "Municipality" means a city, village, or town.

21 (b) The department of natural resources, in consultation with the department
22 of transportation, shall administer a pilot program to investigate the effects of using
23 lightweight utility vehicles on trails and roadways that are used and authorized to
24 be used by all-terrain vehicles, to evaluate whether it is feasible and appropriate to
25 expand the allowable use of lightweight utility vehicles.

1 (c) The counties of Florence, Forest, Sawyer, Marinette, and Washburn, and the
2 municipalities within those counties, are eligible to participate in the pilot program,
3 and the governing body of each county or municipality may elect to participate in the
4 pilot program by adopting a resolution to that effect. The governing body of each
5 county or municipality may withdraw from the pilot program prior to the end of the
6 pilot program under par. (h) by adopting a resolution to that effect.

7 (d) The counties and municipalities in the pilot program may designate any of
8 the following:

9 1. All-terrain vehicle routes and trails within their respective jurisdictions
10 that may be used by operators of lightweight utility vehicles.

11 2. All-terrain vehicle routes and trails within their respective jurisdictions
12 upon which lightweight utility vehicle use is prohibited.

13 (e) For the purposes of all of the following, a lightweight utility vehicle that is
14 operated as authorized under this subsection is considered an all-terrain vehicle:

15 1. Sections 345.11 (1r), 346.02 (11), 349.02, 885.235 (1g) and (1k), 895.049, and
16 901.053.

17 2. Subsections (3), (3g), (4), (4c) to (4x), (6), (7), (10), (12), and (13).

18 3. Local ordinances enacted by a county or municipality under sub. (11).

19 (f) In addition to the provisions under par. (e), the operation of a lightweight
20 utility vehicle as authorized under the pilot program is subject to all of the following:

21 1. The operator of a lightweight utility vehicle must possess a valid motor
22 vehicle operator's license.

23 2. Any trail fees imposed on all-terrain vehicle use by a county or municipality
24 also apply to operation of a lightweight utility vehicle.

1 (g) The department of natural resources, in consultation with the department
2 of transportation and with the counties and municipalities participating in the pilot
3 program, shall evaluate the effect of using lightweight utility vehicles on roadways
4 and on all-terrain vehicle routes and trails upon conclusion of the pilot program. The
5 department may make grants from the appropriation under s. 20.370 (5) (cu), ~~not to~~
6 ~~exceed \$2,000~~ to each participating county and municipality, for the purpose of
7 assisting the department of natural resources in the evaluation. The department of
8 natural resources shall report the results of its evaluation to the legislature under
9 s. 13.172 (2) no later than January 1, 2010.

10 (h) The pilot program under this subsection does not apply after September 30,
11 2009.”.

12 (END)

The department of natural resources shall make grants in such a manner that the total amount of grants for a given county ~~that~~ do not exceed a total of more than \$2,000 for the county, including the grants to municipalities located wholly or partially in that county, does not exceed \$2,000.



State of Wisconsin
2007 - 2008 LEGISLATURE

LRBb0332/2
RNK&BAB:wlj&kjf:nnw

Rm run

3
↑↑
STAYS

LFB:.....Rushmer - Lightweight utility vehicle pilot program

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

SENATE AMENDMENT ,

TO SENATE SUBSTITUTE AMENDMENT 1,

TO 2007 SENATE BILL 40

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 317, line 4³ after that line insert:

3 **"SECTION 282fc.** 20.370 (5) (cu) of the statutes is amended to read:

4 20.370 (5) (cu) *Recreation aids — all-terrain vehicle project aids.* As a
5 continuing appropriation, the amounts in the schedule from moneys received from
6 all-terrain vehicle fees under s. 23.33 (2) (c) to (e) and (2j) to provide aid to towns,
7 villages, cities, counties, and federal agencies for nonstate all-terrain vehicle
8 projects and to provide grants under s. 23.33 (11m) (g) to counties and municipalities
9 participating in the lightweight utility vehicle pilot program."

10 **2.** Page 434, line 5: after that line insert:

1 “SECTION 666m. 23.33 (11m) of the statutes is created to read:

2 23.33 (11m) LIGHTWEIGHT UTILITY VEHICLES PILOT PROGRAM. (a) In this
3 subsection:

4 1. “Golf cart” means a vehicle whose speed attainable in one mile does not
5 exceed 20 miles per hour on a paved, level surface, and is designed and intended to
6 convey one or more persons and equipment to play the game of golf in an area
7 designated as a golf course.

8 2. “Lightweight utility vehicle” means an engine-driven device having a gross
9 weight of more than 700 pounds but not more than 1,999 pounds that is designed to
10 travel on 4 or more low-pressure tires, is equipped with a cargo area, and is used
11 primarily off a highway. “Lightweight utility vehicle” does not include golf carts or
12 low-speed vehicles.

13 3. “Low pressure tire” means a tire that is designed to be mounted on a rim with
14 a maximum diameter of 14 inches and to be inflated with an operating pressure not
15 to exceed 20 pounds per square inch as recommended by the manufacturer.

16 4. “Low-speed vehicle” means a low-speed vehicle, as defined in 49 CFR 571.3,
17 that satisfies the equipment standards under 49 CFR 571.500 and that was
18 originally manufactured to meet the applicable equipment standards under 49 CFR
19 571.500. “Low-speed vehicle” does not include a golf cart.

20 5. “Municipality” means a city, village, or town.

21 (b) The department of natural resources, in consultation with the department
22 of transportation, shall administer a pilot program to investigate the effects of using
23 lightweight utility vehicles on trails and roadways that are used and authorized to
24 be used by all-terrain vehicles, to evaluate whether it is feasible and appropriate to
25 expand the allowable use of lightweight utility vehicles.

1 (c) The counties of Florence, Forest, Sawyer, Marinette, and Washburn, and the
2 municipalities within those counties, are eligible to participate in the pilot program,
3 and the governing body of each county or municipality may elect to participate in the
4 pilot program by adopting a resolution to that effect. The governing body of each
5 county or municipality may withdraw from the pilot program prior to the end of the
6 pilot program under par. (h) by adopting a resolution to that effect.

7 (d) The counties and municipalities in the pilot program may designate any of
8 the following:

9 1. All-terrain vehicle routes and trails within their respective jurisdictions
10 that may be used by operators of lightweight utility vehicles.

11 2. All-terrain vehicle routes and trails within their respective jurisdictions
12 upon which lightweight utility vehicle use is prohibited.

13 (e) For the purposes of all of the following, a lightweight utility vehicle that is
14 operated as authorized under this subsection is considered an all-terrain vehicle:

15 1. Sections 345.11 (1r), 346.02 (11), 349.02, 885.235 (1g) and (1k), 895.049, and
16 901.053.

17 2. Subsections (3), (3g), (4), (4c) to (4x), (6), (7), (10), (12), and (13).

18 3. Local ordinances enacted by a county or municipality under sub. (11).

19 (f) In addition to the provisions under par. (e), the operation of a lightweight
20 utility vehicle as authorized under the pilot program is subject to all of the following:

21 1. The operator of a lightweight utility vehicle must possess a valid motor
22 vehicle operator's license.

23 2. Any trail fees imposed on all-terrain vehicle use by a county or municipality
24 also apply to operation of a lightweight utility vehicle.

1 (g) The department of natural resources, in consultation with the department
2 of transportation and with the counties and municipalities participating in the pilot
3 program, shall evaluate the effect of using lightweight utility vehicles on roadways
4 and on all-terrain vehicle routes and trails upon conclusion of the pilot program. The
5 department may make grants from the appropriation under s. 20.370 (5) (cu) to each
6 participating county and municipality, for the purpose of assisting the department
7 of natural resources in the evaluation. The department of natural resources shall
8 make grants in such a manner that the total amount of grants for a given county,
9 including the grants to municipalities located wholly or partially in that county, does
10 not exceed \$2,000. The department of natural resources shall report the results of
11 its evaluation to the legislature under s. 13.172 (2) no later than January 1, 2010.

12 (h) The pilot program under this subsection does not apply after September 30,
13 2009.”.

14 (END)

**2007-2008 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRBb0332/3ins.
RNK:.....

INSERT 1-2

- LRS:
Please
check extra spaces.*
- 1.** Page 152, line 125: increase the dollar amount for fiscal year 2007-08 by \$10,000 for the purpose ^{of} providing grants to counties and municipalities participating in the lightweight utility vehicle pilot program.



State of Wisconsin
2007 - 2008 LEGISLATURE

LRBb0332/3
RNK&BAB:wlj&kjf:pg

LFB:.....Rushmer - Lightweight utility vehicle pilot program

FOR 2007-09 BUDGET -- NOT READY FOR INTRODUCTION

**SENATE AMENDMENT ,
TO SENATE SUBSTITUTE AMENDMENT 1,
TO 2007 SENATE BILL 40**

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 152, line 25: increase the dollar amount for fiscal year 2007-08 by
3 \$10,000 for the purpose of providing grants to counties and municipalities
4 participating in the lightweight utility vehicle pilot program.

5 **2.** Page 317, line 3: after that line insert:

6 **"SECTION 282fc.** 20.370 (5) (cu) of the statutes is amended to read:

7 20.370 (5) (cu) *Recreation aids — all-terrain vehicle project aids.* As a
8 continuing appropriation, the amounts in the schedule from moneys received from
9 all-terrain vehicle fees under s. 23.33 (2) (c) to (e) and (2j) to provide aid to towns,
10 villages, cities, counties, and federal agencies for nonstate all-terrain vehicle

1 projects and to provide grants under s. 23.33 (11m) (g) to counties and municipalities
2 participating in the lightweight utility vehicle pilot program.".

3 **3.** Page 434, line 5: after that line insert:

4 "SECTION 666m. 23.33 (11m) of the statutes is created to read:

5 23.33 (11m) LIGHTWEIGHT UTILITY VEHICLES PILOT PROGRAM. (a) In this
6 subsection:

7 1. "Golf cart" means a vehicle whose speed attainable in one mile does not
8 exceed 20 miles per hour on a paved, level surface, and is designed and intended to
9 convey one or more persons and equipment to play the game of golf in an area
10 designated as a golf course.

11 2. "Lightweight utility vehicle" means an engine-driven device having a gross
12 weight of more than 700 pounds but not more than 1,999 pounds that is designed to
13 travel on 4 or more low-pressure tires, is equipped with a cargo area, and is used
14 primarily off a highway. "Lightweight utility vehicle" does not include golf carts or
15 low-speed vehicles.

16 3. "Low pressure tire" means a tire that is designed to be mounted on a rim with
17 a maximum diameter of 14 inches and to be inflated with an operating pressure not
18 to exceed 20 pounds per square inch as recommended by the manufacturer.

19 4. "Low-speed vehicle" means a low-speed vehicle, as defined in 49 CFR 571.3,
20 that satisfies the equipment standards under 49 CFR 571.500 and that was
21 originally manufactured to meet the applicable equipment standards under 49 CFR
22 571.500. "Low-speed vehicle" does not include a golf cart.

23 5. "Municipality" means a city, village, or town.

1 (b) The department of natural resources, in consultation with the department
2 of transportation, shall administer a pilot program to investigate the effects of using
3 lightweight utility vehicles on trails and roadways that are used and authorized to
4 be used by all-terrain vehicles, to evaluate whether it is feasible and appropriate to
5 expand the allowable use of lightweight utility vehicles.

6 (c) The counties of Florence, Forest, Sawyer, Marinette, and Washburn, and the
7 municipalities within those counties, are eligible to participate in the pilot program,
8 and the governing body of each county or municipality may elect to participate in the
9 pilot program by adopting a resolution to that effect. The governing body of each
10 county or municipality may withdraw from the pilot program prior to the end of the
11 pilot program under par. (h) by adopting a resolution to that effect.

12 (d) The counties and municipalities in the pilot program may designate any of
13 the following:

14 1. All-terrain vehicle routes and trails within their respective jurisdictions
15 that may be used by operators of lightweight utility vehicles.

16 2. All-terrain vehicle routes and trails within their respective jurisdictions
17 upon which lightweight utility vehicle use is prohibited.

18 (e) For the purposes of all of the following, a lightweight utility vehicle that is
19 operated as authorized under this subsection is considered an all-terrain vehicle:

20 1. Sections 345.11 (1r), 346.02 (11), 349.02, 885.235 (1g) and (1k), 895.049, and
21 901.053.

22 2. Subsections (3), (3g), (4), (4c) to (4x), (6), (7), (10), (12), and (13).

23 3. Local ordinances enacted by a county or municipality under sub. (11).

24 (f) In addition to the provisions under par. (e), the operation of a lightweight
25 utility vehicle as authorized under the pilot program is subject to all of the following:

1. The operator of a lightweight utility vehicle must possess a valid motor vehicle operator's license.

2. Any trail fees imposed on all-terrain vehicle use by a county or municipality also apply to operation of a lightweight utility vehicle.

(g) The department of natural resources, in consultation with the department of transportation and with the counties and municipalities participating in the pilot program, shall evaluate the effect of using lightweight utility vehicles on roadways and on all-terrain vehicle routes and trails upon conclusion of the pilot program. The department may make grants from the appropriation under s. 20.370 (5) (cu) to each participating county and municipality, for the purpose of assisting the department of natural resources in the evaluation. The department of natural resources shall make grants in such a manner that the total amount of grants for a given county, including the grants to municipalities located wholly or partially in that county, does not exceed \$2,000. The department of natural resources shall report the results of its evaluation to the legislature under s. 13.172 (2) no later than January 1, 2010.

(h) The pilot program under this subsection does not apply after September 30, 2009.”.

(END)